



2 **Appendix 2 to Amendment B**

3 **Clean Copy of the Specification as Amended**

4 **Sir:**

5 **Pursuant to Rule 121, the following is a clean copy of the specification as amended:**

6 **Title of the Invention**

7 **A machine and process consisting of an auto racing board game and method for**  
8 **playing**

9

10 **Cross Reference to Related Applications**

11 **This application is based on provisional patent application serial number**  
12 **60/462,511, filed on 04/24/2003.**

13

14 **Statement Regarding Federally Sponsored Research or Development**

15 **Not Applicable**

16

17 **Description of Attached Appendix**

18 **Not Applicable**

19

20 **Background of the Invention**

21 **This invention relates generally to the field of board games and more**  
22 **specifically to a machine and process consisting of an auto racing board game**  
23 **and method for playing.**

24 **Board games have an extensive, well-known history, and may be used to**  
25 **simulate real-life circumstances or sporting events or to provide intellectual**  
26 **stimulation. They typically utilize a game board, game pieces or tokens, chance**  
27 **devices, such as dice or a shuffled deck of cards, and a means for recording**

1 player scores. Racing games have long been extant in the prior art and due to  
2 the ever increasing popularity of automobile racing, board games that simulate  
3 automobile racing are also numerous.

4 One of the most popular types of races to simulate is the stock car racing.  
5 The National Association for Stock Car Auto Racing (NASCAR) racing circuit has  
6 experienced a massive growth in popularity. An expanding schedule, rising  
7 attendance and national broadcasts on radio and television, have all contributed.  
8 As popularity of auto racing has increased, numerous board games have  
9 emerged, each attempting to simulate the thrill and excitement of automobile  
10 racing. In accordance with the nature of previous board games, these games  
11 generally consist of a game board laid out in the form of a racetrack, game  
12 pieces in the shape of racecars, a means for the governing movement of games  
13 pieces around the racetrack, and a means for scorekeeping.

14 Despite all of the above efforts, none of the attempts have enjoyed  
15 overwhelming acceptance in the marketplace. This may be attributed to the fact  
16 that creating a racing game with appeal as universal as the races it simulates is  
17 extremely difficult. Fans of all ages can watch and enjoy racing, but a racing  
18 game that can hold attention of adult racing fans will very likely be too complex  
19 for children. Alternatively, a game that is suitable for children will likely bore adult  
20 players. Ideally, a game should be designed to be played at different levels of  
21 sophistication and require little time to learn the rules, but always remain  
22 unpredictable and fast moving. This balance of qualities is what this invention  
23 purports to accomplish. Representative previous game patents are summarized  
24 below.

25 U.S. Pat. No. 4,624,463, (Glennon) discloses an Indy Class 500 car race  
26 game that includes a game board marked to form an annular track and having  
27 spaces containing notes, questions, or instructions relating to the Indianapolis  
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1      Memorial Day Race. Each player's token is advanced along the track in  
2      accordance with the roll of dice, and/or, the answers to questions appearing in  
3      selected track spaces, and/or, penalties or bonus points appearing on cards  
4      drawn as a result of landing on specific track spaces. The first person to  
5      complete 20 laps around the game board is the winner.

6            U.S. Pat. No. 5,048,841 (Manney et al) contemplates a race game in  
7      which tokens are moved around a simulated race-track, in accordance with the  
8      values of standard playing cards placed on the game board by the individual  
9      game players. Replacement cards are drawn from a stack of cards to replenish  
10     cards placed on the board. Each player's token is, normally, confined to  
11     movement in one of the four lanes in the track, as determined by the suit of cards  
12     placed on the board by the player. Certain cards in the deck are designated as  
13     wild cards for enabling a player to switch his/her token to a different lane in order  
14     to utilize more cards, and/or, to displace another player's token from the track.

15           U.S. Pat. No. 5,139,267 (Trevisan) teaches a game simulating a stock car  
16      race in which each player receives a racing card game piece and a crew chip. A  
17      dial is spun to control the play of the game. A player must answer correctly  
18      questions on cards to advance his game piece.

19           U.S. Pat. No. 5,350,178 (Hollar) discloses a game that simulates stock car  
20      racing. It uses a board piece roughly shaped like a stock car and a race-track  
21      with a plurality of lanes. Additionally, there is a pit row on the board. A variety of  
22      charts are used to determine the course and type of movement along the track  
23      based on the rolls of the dice. The dice have different colors, which indicate  
24      which chart is to be used. Rules require the players to make decisions and  
25      employ strategies similar to those employed by a driver in a real stock car race.

26           U.S. Pat. No. 5,934,673 (Telarico et al) discloses an auto racing board  
27      game with a game board laid out in the shape of a racetrack and game pieces in  
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1 the shape of automobiles. The game board is divided into lanes that simulate  
2 positions on a racetrack. Players advance around the track by drawing cards  
3 from a shuffled deck. The cards make provisions for actual racing conditions  
4 including good handling, contact with other racecars and racecar crashes.

5 U.S. Pat. No. 6,095,522 (Spell et al) discloses a stock car racing board  
6 game with a game board laid out in the shape of a Tennessee-oval race track,  
7 also divided into lanes, and tokens that represent racecars. Players advance  
8 around the track by rolling dice. In addition, cards from a shuffled deck are  
9 utilized to simulate mechanical problems, and the lanes are divided into wind-  
10 drafting lanes, where the actual drafting technique of racecar drivers is simulated  
11 to allow cars trailing other cars to draw nearer to the leading cars

12 As apparent from the above, while previous art relating to board games  
13 that simulate automobile racing do exist, they require too much familiarity with  
14 many relatively minute intricacies of automobile racing to make them universally  
15 appealing to all ages and levels of racing expertise or they accomplish little  
16 toward realistic race simulation or they do not teach a board game designed for  
17 simulating a complete race series in a evening, lending themselves to a series of  
18 hot and fast games, each of which can maintain a high level of excitement. None  
19 incorporate the feature of this game that balances dice roll probabilities against  
20 different numbers of movement squares in each different lane.

21

22 **Brief Summary of the Invention**

23 In accordance with a preferred embodiment of the invention, there is  
24 disclosed an auto racing board game based on NASCAR™ racing rules.  
25 In practical terms, it is a board game that incorporates familiar six-sided  
26 casino-style dice, forty-four uniquely designed pit passes, capital tokens  
27 for which poker chips may be substituted. It also is adapted to incorporate

1 popular 1/24 or 1/64 scale model racing cars as playing pieces. The game  
2 uses a method of moving these playing pieces on track lanes that are of  
3 effectively unequal length, the progress along these lanes being based on  
4 the statistical probability of various possible dice combinations in such a  
5 way as to give players in each lane an equal probability of winning in spite  
6 of the various lane lengths.

7 One object of the invention is unpredictability in that the various racing  
8 lanes on the game board have unequal numbers of squares to traverse balanced  
9 by a probability-based system for determining whether any given player may  
10 advance on any given move. This gives each player equal odds for winning, but  
11 gives false appearances or ambiguity as to what player may actually be in the  
12 lead.

13 Another object of the invention is play such that an individual race is fast  
14 moving and may take only a few minutes, so it can hold the interest even of  
15 children. This also makes it well adapted for an evening's race series of several  
16 games.

17 Another object is to minimize the level and sophistication of racing  
18 knowledge required to enjoy the game.

19 Another object of the invention is that the time required for an individual  
20 race be approximately equivalent to the time required to play a hand of cards. As  
21 such, it can be an exciting substitute for friendly wager card games.

22 A further object of the invention is to have a game board that is easily  
23 adapted to fit standard 1/24th or 1/64th scale model automobiles in the lanes so  
24 that players who are avid fans of a particular car and driver can use their own  
25 model cars as playing pieces.

26 Yet another object of the invention is unique incorporation of caution flags,  
27 giving them an effect resembling that of caution flags in a real race.

1           Still yet another object of the invention is allow for two types of race  
2 scenarios to be played on the same board: Short-Track or Super-Speedway.

3           A final object of the invention is that the game rules remain simple while  
4 keeping play closely parallel to events of actual racing.

5           Other objects and advantages of the present invention will become  
6 apparent from the following descriptions, taken in connection with the  
7 accompanying drawings, wherein, by way of illustration and example, an  
8 embodiment of the present invention is disclosed.

9

10          **Brief Description of the Drawings**

11          The drawings constitute a part of this specification and include exemplary  
12 embodiments to the invention, which may be embodied in various forms. It is to  
13 be understood that in some instances various aspects of the invention may be  
14 shown exaggerated or enlarged to facilitate an understanding of the invention.

15          Figure 1 is a plan (top) view of the playing board constructed in  
16 accordance with this invention. Figure 2 is a reduced size, plan (top) view of the  
17 playing board plus component game parts.

18

19          **Detailed Description of the Preferred Embodiments**

20          Detailed descriptions of the preferred embodiment are provided herein. It  
21 is to be understood, however, that the present invention may be embodied in  
22 various forms. Therefore, specific details disclosed herein are not to be  
23 interpreted as limiting, but rather as a basis for the claims and as a  
24 representative basis for teaching one skilled in the art to employ the present  
25 invention in virtually any appropriately detailed system, structure or manner.

26

1           In accordance with a preferred embodiment of the invention, there is  
2 disclosed an auto racing board game based on NASCAR™ racing rules. In  
3 practical terms, it is a board game that incorporates familiar six-sided casino style  
4 dice, forty-four uniquely designed pit passes, and capital tokens. The game  
5 board is adapted to incorporate popular 1/24 or 1/64 scale model racing cars as  
6 playing pieces. The game uses a method of moving these playing pieces on  
7 track lanes that are of effectively unequal length, the progress along these lanes  
8 being based on the statistical probability of various possible dice combinations in  
9 such a way as to give players in each lane an equal probability of winning in spite  
10 of the various lane lengths.

11           To illustrate the probability-based system of advancement, fig. 1 is a top  
12 view of the playing board (10) constructed in accordance with this invention  
13 having eleven straight lanes numbered two through twelve and laid out as  
14 follows:  
15

16           – Lanes 2 and 12 having 2 squares  
17           Lanes 3 and 11 having 4 squares  
18           Lanes 4 and 10 having 6 squares  
19           Lanes 5 and 9 having 8 squares  
20           Lanes 6 and 8 having 10 squares  
21           Lane 7 having 12 squares –

22           As noted in the rules, players advance one square at a time and advance  
23 only upon rolling a pair of common casino-style dice (provided) and having them  
24 come up with a sum equal to the rolling players lane number. Lanes that have a  
25 number that is more probable of being rolled have commensurately more

1       squares to traverse. Contrariwise, lanes that have a number that is less likely to  
2       be rolled have commensurately fewer squares to traverse.

3           Fig. 2 illustrates all other components of the game set, (excluding the  
4       game board) including:

5           (20)   Nine status/penalty flags (Only three are depicted.): 5 yellow, 2 red  
6       and 2 black

7

8           (30)   Two dice

9

10           (40)   Forty-four pit passes

11

12           (50)   One hundred fifty single tire tokens (capital) represented by disks  
13       resembling large poker chips. Accumulation of the most tire tokens  
14       determines the winner

15

16           (60)   Fifty tire set tokens worth four tires each

17

18           (70)   Two tire haulers (receptacles for tire tokens not presently owned by  
19       any given player)

20

21           (80)   Eleven racing car playing pieces

22

23           (90)   Two winner's cups (receptacles for holding player's stakes or the  
24       pot.)

25

26       These components are combined for use in an auto racing board game,

27       preferably of such a scale as to permit use of popular 1/24 or 1/64 scale model

1 racing cars as playing pieces, employing a method to govern movement of these  
2 playing pieces, the progress of which is based on and adjusted for statistical  
3 probability of various possible results available when rolling popular, six-sided,  
4 casino-style dice, wherein the game board is comprised of a playing surface  
5 having a plurality of racing lanes each being subdivided into various numbers of  
6 advancement spaces including a starting space and a finishing space wherein  
7 the number of spaces in any given lane is inversely proportional to the probability  
8 of rolling a dice value allowing the car in that lane to advance such that the  
9 probability of advancing to the winner's line is essentially equal for all playing  
10 pieces, a plurality of playing pieces corresponding to the number of racing lanes,  
11 preferably in the form of miniature automobiles, dice being used for determining  
12 the advancement of said playing pieces, pit passes (four dealt for each lane)  
13 signifying winning and losing lanes for any given race), chips preferably in the  
14 form of tire tokens (representing capital), tire haulers and winner's cups (both  
15 being receptacles for tire tokens), winner's cups, and yellow, red and black  
16 caution flags.

17 In this embodiment, the game preserves unpredictability in that the various  
18 racing lanes on the game board have unequal numbers of squares to traverse  
19 balanced by a probability-based system for determining the number of squares  
20 each player can advance on each move. This gives each player equal odds for  
21 winning, but gives false appearances or ambiguity as to what player may actually  
22 be in the lead.

23 Additionally, play based on quickly progressing sequences of dice rolls  
24 and card draws, is fast moving and takes only a few minutes, so it can hold the  
25 interest even of children. This characteristic also makes it well adapted for an  
26 evening's race series of several games and, in order to be well adapted for

1 players of all ages and level of sophistication, minimal knowledge of racing  
2 minutiae is required to enjoy the game.

3 The time required for an individual race is approximately equivalent to the  
4 time required to play a hand of cards. As such, it can be an exciting substitute  
5 for friendly wager card games, but the game rules, although simple, make play  
6 closely parallel events of actual racing.

7 Furthermore, because the game board is easily adapted to fit standard  
8 1/24th or 1/64th scale model automobiles in the lanes, players who are avid fans  
9 of a particular car and driver can use their own model cars as playing pieces. It  
10 allows for two types of race scenarios to be played on the same board: Short-  
11 Track or Super-Speedway. Unique incorporation of caution flags gives them an  
12 effect resembling that of caution flags in a real race.

13  
14 Game components:

15 (1) Playing board having eleven lanes numbered two through twelve and  
16 laid out as follows;

17 -Lanes 2 and 12 having two squares through which a player must  
18 advance.

19 -Lanes 3 and 11 having four squares through which a player must  
20 advance.

21 -Lanes 4 and 10 having six squares through which a player must  
22 advance.

23 -Lanes 5 and 9 having eight squares through which a player must  
24 advance.

25 -Lanes 6 and 8 having ten squares through which a player must  
26 advance.

-Lane 7 having twelve squares through which a player must advance;

-Each lane also comprising five contiguous blocks delimited by four "tire lines", designated as the "one", "two", "three" and "four" tire lines;

(2) 9 status/penalty flags (tokens): 5 yellow, 2 red and 2 black ;

(3) 2 dice;

(4) 44 pit passes (tokens, four for each lane);

(5) 150 single tire token (capital represented by disks resembling large poker chips, of which accumulation of the greatest number determines the winner:

(6) 50 tire set tokens worth four tires each;

(7) 2 tire haulers (receptacle for tire tokens not presently owned by any given player);

(8) 11 racing car playing pieces; and

(9) 2 winner's cups (receptacles for holding player's stakes. (The pot.)

## Definition of Terms

Driver = Player. (Note that no player is actually sole controller of any particular car. Although players roll the dice and move the cars, each time a player rolls

1 the dice, that roll decides which car will move on that turn. Thus, each player  
2 may move a different car at each of his or her turns.)

3

4 Lap = One turn.

5

6 Fuel = Roll of dice.

7

8 Tire = Tire Token. Capital represented by disks resembling large poker chips.

9 Accumulation of the most tires determines the winner.

10

11 Flags = Penalty/Status indicators

12

13 Tire Hauler = Receptacle for tires not presently owned by any given player.

14

15 Winner's cup = Receptacle for holding player's stakes. (The pot.)

16

17 Your Car = The car in the lane represented by the combined number turned up  
18 on the dice you rolled for that lap only. Your lap (your turn) ends when you pass  
19 the fuel (dice) to the player on your right (counter-clockwise), this will cause the  
20 game to flow in the left hand circle like stock car racing. Once you move your car  
21 or pay the Winner's Cup your lap is over.

22

23 Short Track Race = Race to the finish line, stopping the car at each of the  
24 numbered positions in your lane. Your lane is defined by the combined total of  
25 the dice you throw on your lap.

26

1 Super-Speedway Race = Race to the finish line end of the board, stopping at  
2 each of the numbered positions, turn the car (to the left!) and race back in the  
3 opposite direction, returning to the starting line, stopping at each numbered  
4 position.

5

6 **Setup**

7 **A) Decide how many races will be run in the given race series.**

8

9 **B) Evenly distribute, or 'purchase' fresh stacks of tires.**

10

11 **C) In a counter-clockwise direction (to the right) deal out all pit passes, starting**  
12 **with the dealer. Pit passes are placed face up in front of each driver so that all**  
13 **drivers can see them as they're dealt.**

14

15 **D) Line up all of the cars to the side of the track. Eleven cars (one in each lane)**  
16 **will start the race. The board may be configured to accept popular scale model**  
17 **cars, for example, 1/64 or 1/24, so that drivers may bring their own model cars to**  
18 **the race.**

19

20 **E) The driver who dealt out the pit passes decides as to whether the race will be**  
21 **a short track or a super-speedway race. The deal passes once to the right for**  
22 **every race.**

23

24 **Qualifying**

25 **After steps A-E, establish which driver holds the most matched pairs of pit**  
26 **passes. That driver becomes the first driver, the first in line to make his/her**

1 qualification trial run. In the event of a tie, the driver with the highest numbered  
2 pair is designated as first.

3 That first driver chooses a car to take the field. He/she places that car of  
4 choice in his/her lane of choice. (Some drivers might have a favorite racing  
5 series and want to put a favorite driver or car in the lane for which they hold the  
6 most passes. This will have no impact on the results of the race.) This procedure  
7 continues counter clockwise until there are eleven cars lined up behind the  
8 starting line.

9 At this point, the first driver gets the green flag and is the first to throw the  
10 dice to (use fuel) to begin his/her qualification trial run. The combined number  
11 showing on the dice represents the lane number that driver must occupy for that  
12 lap (or turn).

13 If a driver throws doubles during qualification trials he/she does not roll  
14 again. (That driver is said to have "blown an engine." This is the first of four  
15 "blown engines" that may occur in any one race. ) The car with the blown engine  
16 is slid backwards to a point just behind the one-tire-line where it must remain for  
17 the remainder of that race. Each player holding a pit pass with that lane number  
18 must place one tire token for each such pit pass held into the winner's cup. Set  
19 them aside.

20 The second, third and fourth drivers are automatically considered to have  
21 also blown engines at this point.

22 The next (second) driver to the right rolls the dice to establish the second  
23 blown engine car/lane number and that car is then slid back to the two-tire line.  
24 All players holding a pit pass with that number must now place two tires for each  
25 such pit pass into the winner's cup. Set them aside.

26 The next driver to the right rolls the dice to establish the third blown engine  
27 car/lane number and that car is then slid back to the four tire line. All players  
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1 holding a pit pass with that number must now place three tires for each such pit  
2 pass into the winner's cup. Set them aside.

3 The next driver to the right rolls the dice to establish the fourth blown  
4 engine car/lane number and that car is then slid back to the three tire line. All  
5 players holding a pit pass with that number must now place four tires for each  
6 such pit pass into the winner's cup.

7 At this point, players still retaining pit passes are the potential race  
8 winners and are still in play to win the tires needed for the next race.

9

10 **Racing**

11 The field is now set for play. The next driver to the right rolls the dice.  
12 The combined number showing on the dice establishes the car/lane number of  
13 the first car off the line. Note that once play starts, no particular player (driver) is  
14 exclusively associated with any single particular car. The car in that lane is  
15 moved up one position by placing the nose of the car to cover the first number in  
16 that lane. If this lane is occupied by a car with a blown engine, the driver must  
17 pay the number of tires equal to that car's tire line into one of the winner's cups.  
18 Then the next driver rolls and proceeds similarly.

19 If a driver runs out of tires, his/her pit passes are disqualified and any  
20 potential winnings remain in the winner's cup to be applied to the next race.

21 If a driver throws doubles his/her first racing throw, he/she gets to take  
22 his/her lap and throw again. However, throwing doubles on a second roll will  
23 cause a caution flag to be imposed. (When a caution flag is imposed, follow  
24 yellow flag rules.). The combined number showing on the dice represents lane  
25 number that driver will occupy for that lap.

26 The race continues, until the winning car reaches the finish line. Note that  
27 once a car has advanced to the last segment of its lane, it effectively reached the

1 finish line and finished the race. That player needs not roll the dice again to  
2 actually cross the line.

3

4 **The Object of the Game (Winning)**

5 When the first car reaches the finish line, the race is completed. Any driver  
6 holding valid pit-passes for the lane in which the first car finishes is a winner.  
7 Take all of the tires from the winner's cups and divide them into four stacks with  
8 an equal number in each. Any tires left over are placed back into the tire  
9 winner's cups for the next race. Then the four stacks are distributed to the  
10 players, one stack for each winning pit pass. (Note that there will always be four  
11 winning pit passes.)

12 In illustration, if car/lane seven wins and a driver is holding two sevens,  
13 he/she will get two of the four stacks. However, if a driver has been black-  
14 flagged and was holding a seven, then his/her tires go into one of the winner's  
15 cups, thereby raising the stakes for the next race.

16 **Flags**

17 **Yellow Flag (caution flag) is imposed for:**

- 18 1. Rolling doubles twice in a row.
- 19 2. Moving the wrong car or touching any other car than the one designated  
20 for you to move in that turn.
- 21 3. Touching any car or dice while it is not your turn.
- 22 4. Bumping another driver during his/her turn. (I.e., If you are bumped by  
23 another driver while taking your lap, and that causes you to touch another car in  
24 another lane such that it is not your fault, the driver who bumped you gets a flag.)
- 25 5. Slowing the field by not paying attention. If a driver is indisposed or  
26 getting a snack, or doing anything other than taking his/her lap the moment the  
27 fuel is his/hers, a yellow flag is imposed.

1       When a yellow flag is imposed, the offending driver must pay two tires into  
2 one of the tire winner's cups. A yellow flag is placed in front of that driver until  
3 he/she has gone a lap down (missed a turn). When that driver's lap comes  
4 around he/she places the yellow flag back into the flag cup and sits his/her lap  
5 out. If that driver causes another caution while under caution he/she will be  
6 black-flagged. There are five yellow caution flags.

7

8       Black Flag is imposed for:

9           Causing a caution while under a caution flag. That driver must put a full  
10 set of four tires into one of the winner's cups. Place a black flag in front of that  
11 driver until the race is over. Put his/her yellow flag back in the other unassigned  
12 flags. If the black-flagged driver is in possession of a winning pit pass or passes,  
13 those passes are invalidated. For so long as the passes are invalidated, he/she  
14 is not eligible to win any tires after the race. The tires he/she would have won  
15 stay in the haulers until the next race. There are two black flags. If a third  
16 person gets black-flagged he/she must take the black flag from the driver who  
17 has held it the longest of the two black flags currently being displayed. The  
18 driver to lose the black flag comes back into contention and becomes again  
19 eligible to win.

20

21       Red Flag is imposed for:

22           Dealing pit passes to the left/counter-clockwise.  
23           Turning to the right. Any driver who at any time turns any car to the right  
24 will be red flagged. (This can only occur in a super-speedway race because  
25 there are no turns in a short-track race.)

26           Place the red flag in front of the offending driver. That driver must donate  
27 a tire to every other driver in the field and must keep the red flag until the end of  
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1 the race. (If a red-flagged driver causes a caution flag to be imposed while  
2 holding a red flag, he/she is black flagged, and the red flag becomes available for  
3 another driver to earn.) Place the red flag with the other unassigned flags and  
4 place a black flag in front of the offending driver. There are only two red flags.

5 It will be understood that each of the elements described above, or two or  
6 more together, may also find a useful application in other types of methods  
7 differing from the type described above.

8 While certain novel features of this invention have been shown, described,  
9 and pointed out in the claims, it is not intended that the invention be limited to the  
10 details above. Indeed, it is taken as understood that various omissions,  
11 modifications, substitutions and changes in the forms and details of the invention  
12 and its operation can be made by one skilled in the art without departing in any  
13 way from the spirit of the present invention. Thus, the foregoing sufficiently  
14 reveals the gist of the present invention such that others can readily adapt it for  
15 various applications without omitting features that fairly constitute essential  
16 characteristics of this invention.

17 While the invention has been described in connection with a preferred  
18 embodiment, it is not intended to limit the scope of the invention to the particular  
19 form set forth, but on the contrary, it is intended to cover such alternatives,  
20 modifications, and equivalents as may be included within the spirit and scope of  
21 the invention as defined by the appended claims.